

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
NORTHERN DIVISION**

MCKLEIN COMPANY, LLC

Plaintiff,

v.

MONARCH DESIGNS, INC. and
MONARCH LUGGAGE CO., INC.

Defendants.

CASE NO. 08 CV 1491

Judge David H. Coar

Magistrate Judge Jeffrey Cole

**DEFENDANTS' SECOND UNOPPOSED MOTION FOR EXTENSION OF TIME
WITHIN WHICH TO ANSWER OR OTHERWISE PLEAD**

Defendants Monarch Designs, Inc. and Monarch Luggage Co., Inc. (collectively, "Defendants"), by their undersigned attorneys and by agreement with counsel for Plaintiff, McKlein Company LLC, an Illinois limited liability company, respectfully move the Court pursuant to Federal Rules of Civil Procedure 6(b) and 7 for a thirty day (30) extension of time within which to answer or otherwise plead to the Complaint, to and including Monday June 9, 2008.

In support hereof, Defendants rely upon all matters of record to date and further state:

1. This is an action for alleged patent infringement of U.S. Patent Nos. 6,595,334 and 6,994,193 by Defendants.
2. Plaintiff filed its Complaint on March 13, 2008. A responsive pleading is currently due on Wednesday May 7, 2008. The Court has granted one previous extension.
3. The Complaint asserts a single count for relief against each defendant, and raises potential issues of liability and damages. Defendants have begun and continue to analyze these

issues and reasonably require additional time to evaluate the claims and potential defenses and prepare their responsive pleadings to the Complaint.

4. Additionally, the parties have conferred via counsel by telephone, most recently on Monday May 5, 2008 and Wednesday May 7, 2008, and have begun to discuss the merits of the claims and defenses of the present case and the possibility of an early settlement. In order to maximize the availability of resources to be devoted to settlement, the parties have agreed that an additional extension of time is appropriate.

5. The undersigned counsel has personally spoken by telephone to Vladimir I. Arezina, counsel of record for Plaintiff, who has represented that Plaintiff agrees to the requested extension of time.

6. This request is made in the interests of justice and not for the purposes of delay.

WHEREFORE, without waiver of any claims or defenses they may respectively have, Defendants respectfully request that this Court grant the Defendants an extension of time to answer or otherwise plead to the Complaint in this cause, to and including Monday June 9, 2008.

Dated: May 7, 2008

Respectfully submitted,

/s/ Howard E. Silverman

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